



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

March 28, 1998

Mr. Eric M. Bost
Commissioner
Texas Department of Human Services
P.O. Box 149030
Austin, Texas 78714-9030

OR98-1322

Dear Mr. Bost:

The Texas Department of Human Services (the "department") has asked this office to review certain records that apparently should have been submitted to this office previously, in connection with a request ruled upon in Open Records Letter No. 98-762 (1998). Your request was assigned ID# 115825.

In Open Records Letter No. 98-762 (1998), this office agreed that the candidate profiles in a brochure created by the Oldani Group are protected from public disclosure under section 552.110 of the Government Code. The brochure was held by the Oldani Group, which submitted the brochure to this office for review.¹ After Open Records Letter No. 98-762 (1998) was issued and the brochure returned to the Oldani Group, this office was notified by the Oldani Group that certain pages were missing from a copy of the brochure reviewed by this office. We are informed by the Oldani Group that the omission was an inadvertent mistake by the Oldani Group. The Oldani Group supplied the missing pages to this office for review and urges that this information is also protected from disclosure under section 552.110.

The documents submitted to this office are "confidential candidate reference summaries." Our review of these summaries forces us to conclude that these records contain the same type of candidate profile information that we determined in Open Records Letter No. 98-762 (1998) to be protected from disclosure by section 552.110. Thus, the submitted pages must be withheld from disclosure.

¹We note that the brochure was the only record submitted to this office as responsive to a request for correspondence about candidates for executive director of the department.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,

A handwritten signature in black ink, appearing to read 'Ruth H. Soucy', with a stylized flourish at the end.

Ruth H. Soucy
Assistant Attorney General
Open Records Division

RHS/ch

Ref.: ID#115825

Enclosures: Submitted documents

cc: Ms. Polly Ross Hughes - Reporter
Houston Chronicle
1005 Congress Avenue, Suite 770
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(w/o enclosures)

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